

REMARKS

After entry of this Amendment, claims 1-47 are pending in the application. Claims 11-26 have been withdrawn from consideration until an indication of an allowable generic claim is received, at which time claims 11-26 are subject to rejoinder.

Claims 44 and 46 have been amended to more particularly point out and distinctly claim the subject matter which applicant regards as the invention. Reconsideration of the application as amended is requested.

In the Office Action dated October 10, 2001, the Examiner has imposed a Restriction Requirement under 35 U.S.C. §121 between:

- I. Claims 1-10, 27-43, and 47, drawn to Group I, classified in Class 74, Subclass 459; and
- II. Claims 44-46 drawn to Group II, classified in Class 29, Subclass 898.

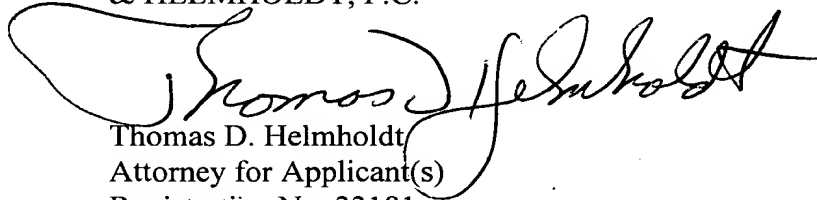
Applicant, through his attorneys, elect Group I with traverse. The Restriction Requirement is traversed on the grounds that claims 44-46 have been amended to more particularly point out and distinctly claim that the subject matter sought to be protected is the product, and not the process of making. It is submitted that amended claims 44-46 are now properly classified in Class 74, Subclass 459 for examination with the elected Group I claims. Reconsideration of the Examiner's Restriction Requirement is requested.

It is respectfully submitted that this Amendment traverses and overcomes all of the Examiner's objections and rejections to the application as originally filed. It is further submitted that this Amendment has antecedent basis in the application as originally filed, including the specification, claims and drawings, and that this Amendment does not add any new subject matter to the application. Reconsideration of the application as amended is requested. It is respectfully submitted that this Amendment places the application in suitable condition for allowance; notice of which is requested.

If the Examiner feels that prosecution of the present application can be expedited by way of an Examiner's amendment, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

44. (Amended) A ball nut having at least one internal bearing race with a first end and a second end, and at least one recirculating crossover passage for connecting the first end with the second end to form a continuous recirculating path for a plurality of ball bearings, comprising:

[means for stamping] a first stamped part with a first portion of a groove and a first portion of a crossover passage in a first face of a first flange region from a flat metal strip for receiving a plurality of ball bearings;

[means for stamping] a second stamped part with a second portion of the groove and a second portion of the crossover passage in a second face of a second flange region in the flat metal strip, the second portions of the groove and crossover passage of the second part operably positionable in communication with the first portions of the groove and crossover passage of the first part for returning the plurality of ball bearings from one end of the groove to an opposite end; and

[means for assembling] the first and second stamped parts assembled in face-to-face, flange-to-flange relationship with respect to one another to define a ball nut with a continuous recirculating path for a plurality of ball bearings.

46. (Amended) The ball nut of claim 44 further comprising:

[means for hardening] the first and second stamped parts are hardened parts[after stamping].